

# Exhibit 5

promoted by the magazine. I recommend pulling the full text while you consult your legal advisors.

I am available by phone today if you have any questions. [REDACTED] (mobile)

I am in the process of securing legal counsel.

Kindly,

Dawn Dorland, MTS, MFA  
Los Angeles

*I check email once daily at noon.*

On Jun 5, 2018, at 10:33 AM, Dawn Dorland <dawndorland@gmail.com> wrote:

Dear Rebecca,

Thanks very much for letting me know. I appreciate that you are taking the allegation seriously, and I await your response.

Kindly,  
Dawn

857-234-2650 (mobile)

On Jun 5, 2018, at 8:31 AM, Rebecca Markovits <rebecca.markovits@americanshortfiction.org> wrote:

Dear Ms. Dorland,

Thank you for bringing this to our attention. We are investigating the situation and consulting with our legal advisers and will have a response for you shortly. This obviously comes as news to us, and we want to give it the serious consideration it deserves, so we appreciate your patience for a day or two more as we look into it.

Yours,

Rebecca Markovits

On Tue, Jun 5, 2018 at 9:53 AM, American Short Fiction <editors@americanshortfiction.org> wrote:

Take a gander at thissss

----- Original Message -----

Subject: Plagiarism in "The Kindest"

Date: 2018-06-04 10:55

From: Dawn Dorland <dawndorland@gmail.com>

To: editors@americanshortfiction.org

Dear Editors of \_American \_Short Fiction: \_Ms. Markovits, Ms. Reitberger, Mr. Brown, and Web Editor, Ms. McReynolds,

My name is Dawn Dorland, and I am a literary writer and editor based in Los Angeles. As a fan of your journal and website, it pains me to be writing you under these circumstances.

I'm reaching out to you at this particular moment, however, about a distressing situation regarding the short story that appears on your splash page as an online Notebook Feature. Sonya Larson's "The Kindest."

In short: I learned in 2016 that my friend Sonya Larson--to whom I had disclosed my intentions in 2015 to donate my kidney to a stranger--had written and prepared to publish a kidney story without telling me that its genesis was my own living kidney donation (another friend tipped me off after hearing Sonya perform "The Kindest" at a public reading). When I approached Sonya about the story, right around the first anniversary of my kidney donation, she was defensive of her actions but acknowledged that the short story she was working on was indeed informed by my gesture.

I didn't read the story when it came out a year later in your emerging writers issue, though--it was too painful. I could see a clear resemblance, even from the story's title, to the information I had disclosed and shared intimately with Sonya ahead of donating my own

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kidney. My friend had worked on the story, reading it publicly and publishing audio in multiple places, without ever letting me know and while maintaining our friendship. receiving further kidney-related disclosures that in turn shaped the story. My friend later thanked several writers publicly for helping her revise and place the story with you at \_ASF\_ last year, without ever acknowledging me.

I did just read Sonya's story over the weekend, however, when I came across it (quite by accident--I was looking for the work of Tommy Orange). I am dismayed to confirm the similarities between Sonya's fictional donor's motivations and my own, as well as the story's title. plucked from an article I'd pointed Sonya to because it had very much inspired and informed my own donation (Larissa MacFarquhar's "The Kindest Cut," which ran in \_The New Yorker\_: \_I think you'll recognize the title).

BUT HERE'S THE PROBLEM: My friend's kidney story, "The Kindest," includes a letter from a donor to her recipient. I believe that the letter in Sonya's story plagiarizes the letter that I wrote to the final recipient in my short kidney chain, a letter to which Sonya had access as a member of a private friends-and-family Facebook group where I shared updates and information about my donation.

Another writer's appropriation of my personal kidney story, fictionally, is one kind of debate; another writer's use of a text that I authored is, to my mind, however, a serious issue. \_I will forward you my own kidney letter as a separate email attachment for your comparison.\_

If you agree that the letter in Sonya's story bears a problematic resemblance to the one that I composed and shared with her privately, remedies that I would find acceptable range from \_ASF's\_ pulling the story to the author making an acknowledgment of my text. I would also, or in addition, consider writing an article for \_ASF\_ raising ethical issues germane to all writers: How do we balance careerist impulses with our stated artistic ideals (empathy among them)? And for those in the "you shared it, so I stole it" school, does being writers give us permission to violate the bonds of intimacy, to fail one another as friends?

Thank you for your consideration. I can be reached anytime today or this week by email and/or by phone. I am in the process of securing legal counsel.

857-234-2650 [1] (mobile)

Kindly,

Dawn Dorland. MTS, MFALos Angeles

\_I check email once daily at noon. \_

Links:

[1] <tel:857-234-2650>

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The Editors  
American Short Fiction

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